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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

PHILIP SMITH, an individual,
Plaintiff,
v.
RYAN COMPTON, an individual;
NOEL ANDREWS, an individual;
MONA VOGEL, an individual; and
DOES 1-10, inclusive,
Defendants.

Case No.: 2:22-cv-08439-MWF-PLA

**PLAINTIFF'S OBJECTIONS TO
EVIDENCE SUBMITTED BY
DEFENDANT NOEL ANDREWS IN
SUPPORT OF MOTION TO STRIKE
(ANTI-SLAPP)**

Hearing Date: January 23, 2023
Time: 10:00 AM
Courtroom: 5A

Plaintiff PHILIP SMITH hereby objects to the following evidence presented by Defendant NOEL ANDREWS in connection with her “SPECIAL MOTION TO STRIKE PURSUANT TO FED. R. CIV. P. 12(b)(6) AND CCP § 425.16” set for hearing on January 23, 2023, before this Court:

1. DECLARATION OF CHARLES G. SMITH (“C. Smith Declaration”), paragraph 3, page 2:8-12. Plaintiff objects on the grounds the proffered evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE 801), and its probative value is

1 substantially outweighed by a danger of confusing the issues, undue delay and/or
2 wasting time (FRE 403).

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4 2. C. Smith Declaration, paragraph 4 in its entirety. Plaintiff objects on the
5 grounds the proffered evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE
6 801), and its probative value is substantially outweighed by a danger of confusing the
7 issues, undue delay and/or wasting time (FRE 403).

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9 3. C. Smith Declaration, paragraph 5 in its entirety. Plaintiff objects on the
10 grounds the proffered evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE
11 801), and its probative value is substantially outweighed by a danger of confusing the
12 issues, undue delay and/or wasting time (FRE 403).

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14 4. C. Smith Declaration, paragraph 6 in its entirety. Plaintiff objects on the
15 grounds the proffered evidence purports to summarize the contents of documents (FRE
16 1002).

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18 5. C. Smith Declaration, paragraph 7 in its entirety. Plaintiff objects on the
19 grounds the proffered evidence purports to summarize the contents of documents (FRE
20 1002).

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22 6. C. Smith Declaration, paragraph 8 in its entirety. Plaintiff objects on the
23 grounds the proffered evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE
24 801), and its probative value is substantially outweighed by a danger of confusing the
25 issues, undue delay and/or wasting time (FRE 403).

1 7. C. Smith Declaration, paragraph 9 in its entirety. Plaintiff objects on the
2 grounds the proffered evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE
3 801), and its probative value is substantially outweighed by a danger of confusing the
4 issues, undue delay and/or wasting time (FRE 403).

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6 8. C. Smith Declaration, Exhibit B. Plaintiff objects on the grounds the proffered
7 evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE 801), and its probative
8 value is substantially outweighed by a danger of confusing the issues, undue delay
9 and/or wasting time (FRE 403).

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11 9. C. Smith Declaration, Exhibit C. Plaintiff objects on the grounds the proffered
12 evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE 801), and its probative
13 value is substantially outweighed by a danger of confusing the issues, undue delay
14 and/or wasting time (FRE 403).

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16 10. C. Smith Declaration, Exhibit D. Plaintiff objects on the grounds the proffered
17 evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE 801), and its probative
18 value is substantially outweighed by a danger of confusing the issues, undue delay
19 and/or wasting time (FRE 403).

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21 11. C. Smith Declaration, Exhibit E. Plaintiff objects on the grounds the proffered
22 evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE 801), and its probative
23 value is substantially outweighed by a danger of confusing the issues, undue delay
24 and/or wasting time (FRE 403).

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26 12. C. Smith Declaration, Exhibit F. Plaintiff objects on the grounds the proffered
27 evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE 801), and its probative

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1 value is substantially outweighed by a danger of confusing the issues, undue delay
2 and/or wasting time (FRE 403).

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4 13. C. Smith Declaration, Exhibit G, at page 36:8 – 37:10. Plaintiff objects on the
5 grounds the proffered evidence, testimony elicited from Plaintiff, lacks foundation and
6 is speculative (FRE 602), and is inadmissible hearsay (FRE 801).

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9 Plaintiff will respectfully request the Court at the hearing on the motion to
10 sustain the above objections and to strike the evidence referred to above.

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12 Dated: January 4, 2023

CRAWFORD LAW GROUP



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15 DANIEL A. CRAWFORD,
16 Attorney for Plaintiff,
PHILIP SMITH

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